

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UPSHER-SMITH LABORATORIES, INC.,)

Plaintiff,)

v.)

C.A. 17-cv-649-CJB

GLENMARK PHARMACEUTICALS)
LIMITED and GLENMARK)
PHARMACEUTICALS INC., USA,)

Defendants.)

STIPULATION AND ORDER OF DISMISSAL

Plaintiff Upsher-Smith Laboratories, LLC (formerly Upsher-Smith Laboratories, Inc.) and Defendants Glenmark Pharmaceuticals Limited and Glenmark Pharmaceuticals Inc., USA, have agreed to terms and conditions representing a negotiated settlement of the above-entitled action and have set forth those terms and conditions in an agreement. Now the parties, by their respective undersigned attorneys, hereby stipulate and consent to entry of an order in the above-entitled action as follows:

IT IS this day of _____, 2018

ORDERED, ADJUDGED AND DECREED as follows:

1. The Court shall retain jurisdiction to enforce the terms and conditions of this Order and the agreement and any disputes that may arise thereunder.
2. The parties' claims and counterclaims are dismissed without prejudice and without costs, disbursements or attorneys' fees to any party.

The Honorable Christopher J. Burke
United States Magistrate Judge

McCARTER & ENGLISH LLP

/s/ Daniel M. Silver

Michael P. Kelly (#2295)
Daniel M. Silver (#4758)
Benjamin A. Smyth (#5528)
Renaissance Centre
405 N. King Street, 8th Floor
Wilmington, Delaware 19801
(302) 984-6300
mkelly@mccarter.com
dsilver@mccarter.com
bsmyth@mccarter.com

Filko Prugo
Ropes & Gray LLP
1211 Avenue of the Americas
New York, New York, 10036
(212) 596-9787
Filko.Prugo@ropesgray.com

Attorneys for Plaintiff

DATED: March 27, 2018

YOUNG CONAWAY STARGATT
& TAYLOR, LLP

/s/ Adam W. Poff

Adam W. Poff (# 3990)
Rodney Square
1000 N. King Street
Wilmington, Delaware 19801
(302) 571-6600
apoff@ycst.com

William A. Rakoczy
Anuj K. Wadhwa
RAKOCZY MOLINO MAZZOCHI
SIWIK LLP

Six West Hubbard Street, Suite 500
Chicago, Illinois 60654
(312) 527-2157
wrakoczy@rmmslegal.com
awadhwa@rmmslegal.com

Attorneys for Defendants